

# **UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO**



## **CIVIL CASE OPENING BY ATTORNEYS CM/ECF VERSION 4.0**

July 22, 2009  
Updated March 8, 2011

Pursuant to Local Rule 5.1, attorneys are required to receive notice of filings electronically and to file documents electronically. Attorneys may also open their own civil cases and electronically file the initial document/pleading. The court strongly encourages attorneys to open their cases electronically.

In order to file a case electronically, an attorney must be able to do one of the following:

- (1) Pay the required filing fee with a credit card over the internet;
- (2) File the case without paying filing fee, accompanied by a motion to proceed in forma pauperis; or
- (3) File a case where the filing fee is waived.

### **Important Points to Remember:**

- The entire process **must** be completed. You will open the new civil case and file your initial document/pleading. A case is not considered filed until the complaint is filed.
- Do **not** attempt to start over again once a case number has been assigned, even if you believe that you have made a mistake in case opening. The Clerk's Office can correct case opening errors, and you should file your complaint or other initiating document under the first case number assigned.
- The filing fee is paid while filing the complaint or other initiating document. **Never** hit the back button after you have passed the credit card screens. Doing so could result in double charges.

### **Required attachments to your complaint or other initiating document:**

[Civil cover sheet](#)  
[Summons](#) and [US Marshal forms](#), if applicable, which can be uploaded as one attachment.

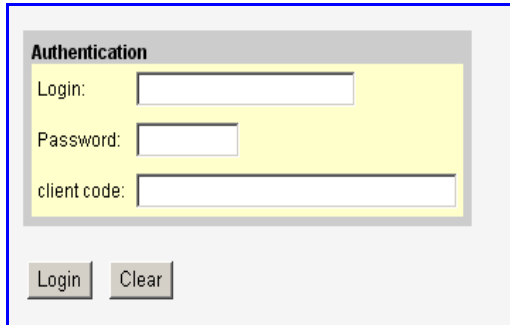
If you file the initial document with an accompanying Motion to Proceed Informa Pauperis, you must file the Motion/Application to proceed in forma pauperis as a separate document using the appropriate motion event.

The Clerk's Office will issue summonses electronically.

**Very Important:** You must change your print setting in Adobe to **document and stamps** in order for the court seal and signature to appear. If it is set to document or document and markups, the stamp will not appear on the printed copy.

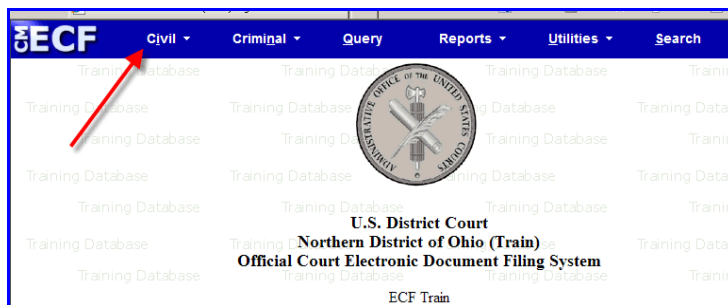
The following instructions will walk you through the entire process. Please have your case opening documents converted to PDF format before starting.

## LOG INTO CM/ECF



The authentication form is titled "Authentication" and is set against a yellow background. It contains three input fields: "Login:", "Password:", and "client code:". Below these fields are two buttons: "Login" and "Clear".

Log into CM/ECF with your CM /ECF login and password.



Click on **Civil**

## OPEN A NEW CIVIL CASE - GETTING STARTED



Click on **Open a Civil Case.**

The next three screens contain important information.  
Please read them carefully and click the **[Next]** button on each screen.

**Open a Civil Case**

Use this link to retrieve **Civil Case Opening Instructions**.

After retrieving instructions, use the **BACK** button to return to this screen and continue case opening.

If you make a mistake you should proceed with case opening. The Clerk's Office can make the necessary corrections after the case is opened.

If you require assistance while opening the case call 1-800-355-8498.

**Open a Civil Case**

Please note that the complaint **MUST BE FILED THE SAME DATE THAT THE CASE IS OPENED**.

See Rule 3 of the Federal Rules of Civil Procedure.

**Open a Civil Case**

On the following screen you must select an office from a drop down menu. The office selections are Akron, Cleveland, Toledo and Youngstown.

Your selection will be determined by sections III and IV on page 2 of the civil cover sheet. You must first answer section III, and based upon your answers to those questions, select a county in section IV. The correct office will appear to the left of the county you select on the civil cover sheet.

**Open a Civil Case**

Office:  Case type: **cv** Case number:

Date filed: 7/15/2008

Other court name:

Other court number:

The **Open a Civil Case** screen appears and displays initial case filing information.

Select the office name by clicking the pull down arrow.

You must select the correct office based on the county you are filing your new civil case under. The office selections are Akron, Cleveland, Toledo and Youngstown. You will decide your selection by sections III and IV on page 2 of the civil cover sheet. You must first answer section III, and based upon your answers to those questions, select a county in section IV. The correct office will appear to the left of the county you select the civil cover sheet.

The Case type field is set to default at **cv** which represents a civil case.

**Do not select any of the other options on this screen** unless you are filing a Notice of Removal. For a removal case you will enter the name of the county court in the **Other court name** field and the county case number in the **Other court number** field.

Click the **[Next]** button.

## ENTER THE CIVIL COVER SHEET INFORMATION

(JS-44)

The screenshot shows the 'Open a Civil Case' form with the following fields and values:

- Jurisdiction: 3 (Federal Question)
- Cause of action: (empty)
- Nature of suit: 0 (zero)
- Origin: 1 (Original Proceeding)
- Citizenship plaintiff: (empty)
- Citizenship defendant: (empty)
- Jury demand: n (None)
- Class action: n
- Demand (\$000): (empty)
- Arbitration code: (empty)
- County: Allen
- Fee status: pd (paid)
- Fee date: 7/20/2009
- Date transfer: (empty)

Buttons: Next, Clear

A new screen appears and displays multiple fields for entry of information typically found on the civil cover sheet (JS-44).

Select from the options displayed from the pull down arrows or fill in the necessary fields.

You must select from the drop down boxes the:

- jury demand
- whether the case is a class action
- the county you are filing the case under
- the fee status. This field defaults to paid, but you should select vv (waived) or pend (if pending) if applicable.
- You should also enter your demand dollar amount.

After entering all information click the **[Next]** button.

The system will verify the accuracy of combinations entered on this screen. For example, if an invalid Nature of Suit and Jurisdiction combination is selected, a screen will appear stating:

*Invalid Nature of Suit/Jurisdiction combination [440/4]. Valid Jurisdiction code(s) for Nature of Suit [440] are [1,2,3]*

If you receive this error message, click **[OK]** and select valid combinations as suggested.

## ADD PARTY NAMES

The next screen is the participant entry screen where you all enter all parties to the case.

The participant entry screen is split into two sides. The right side is used for searching/creating parties, and the left side displays what parties have been added to the case.

The screenshot shows the 'Open a Civil Case' form with the following sections:

- Add New Party** button
- Create Case** button
- Search for a party** section with fields for Last / Business Name, First Name, and Middle Name, and a **Search** button.
- Collapse All** and **Expand All** links.

Before adding a party, you should first search to see if the party has already been entered into the CM/ECF party database.

In the *Last/Business Name* field enter the first few letters of the last name of the individual, or the business name of the party you wish to add. Click **[Search]**. After you click the search button, the system will look for any matches to your party name entry.

The party information screen expands to allow the entry of more information.

Page 6 of 13

The party name will appear on the left side of the screen. All participants (parties, aliases, attorneys and corporate parents) that are added to a case are displayed in a tree with icons to edit, add, and delete participants .

Continue searching for/adding all parties to the case. To add an **alias** or **corporate parent** to the party in the case, simply click the + sign next to the Alias icon or Corporate Parent icon in the case participant tree. Please note, attorneys cannot add other attorneys to a case. Once all participants have been added Click the [**Create Case**] button near the top on the left half of the screen.

The following message will appear.  
Click Yes to continue with case opening.

**IMPORTANT NOTE:** The case number has been assigned at this point, but it will not be displayed until **after** you select which initiating document will be filed. If you start over again, you will be assigning two case numbers to your action.

## FILE THE INITIATING DOCUMENT/PLEADING

Highlight the name of the document you are filing from the drop down box.

Click the [**Next**] button.

The assigned case number appears in the Case Number box.

Click the [**Next**] button.

Complaints/Initiating Documents  
5:09-cv-00035 Jones v. Tollet

Pick Filer

Collapse All Expand All

Michael Jones [pla]  
Linda Tollet [dft]

Select the filing PARTY

Select the Party:

Jones, Michael [pla]  
Tollet, Linda [dft]

Next Clear New Filer

Highlight the party filing the complaint (If there is more than one party filer, you would click the names while pressing down the Control key)

Click the [Next] button.

Complaints/Initiating Documents  
5:09-cv-00035 Jones v. Tollet

Add Attorney to Docket?

Only uncheck the box on the left below if the attorney does not represent the party listed.

If the attorney represents the listed party, DO NOT remove the check.

☒ Michael Jones (pty:pla) represented by Attorney Peters (aty)

Next Clear

The next screen is creating an association with you and the party you are filing the document for. This association will cause your name to be added to the docket as representing the party you are filing on behalf of. Do not remove the ✓.

Click the [Next ] button.

Complaints/Initiating Documents  
5:09-cv-00035 Jones v. Tollet

Pick Party

Collapse All Expand All

Michael Jones [pla]  
Linda Tollet [dft]

Please select the party that this filing is against.

Select the Party: OR Select a Group:

Jones, Michael [pla]  
Tollet, Linda [dft]

☒ No Group  
☐ All Defendants  
☐ All Plaintiffs  
☐ All Parties

Next Clear New Party

Highlight the party that this filing is against. (If there is more than one defendant, you would click the names while pressing down the Control key).

Click the [Next] button.

Complaints/Initiating Documents  
5:09-cv-00035 Jones v. Tollet

Please upload the civil cover sheet and summons as separate attachments to the complaint along with exhibits and US Marshal forms if applicable.

Next Clear

Please read the message on the screen and click the [Next] button.



The initial pleading (complaint, notice of removal, etc.) should be converted into portable document format (PDF) before beginning the case opening process. When filing the document it will be necessary to enter the exact file path and the document. For ease in locating/uploading your PDF documents the court recommends that you create a folder for your District Court case files. Use a naming scheme for each of your cases that helps you identify the contents of the folder.

The following screen is where the PDF documents are uploaded.

**Complaints/Initiating Documents**  
[5:09-cv-00035 Jones v. Tollet](#)

Remember to upload the **CIVIL COVER SHEET** and any other required documents as attachments to the complaint.  
Select the pdf document and any attachments.

**Main Document**  
H:\My Documents\la sample pdf.PDF

	Category	Description
1.	<input type="text" value="H:\My Documents\Civil_Cover.pdf"/> <input type="button" value="Browse..."/>	Civil Cover Sheet <input type="button" value="Remove"/>
2.	<input type="text" value=""/> <input type="button" value="Browse..."/>	

In the Main Document section, click **[Browse]** to find the PDF document on your computer. Clicking the **[Browse]** button takes you to your local hard drive or network server.

To avoid the chance of erroneously uploading the wrong document, filers are strongly encouraged to use the **[Browse]** button to locate the file, and then right click on the file name and select **Open with Acrobat**. This will open the PDF and allow you to view it and ensure that it is the correct document before filing.

Once you have found the correct main document (complaint, notice of removal, etc.), you can begin uploading the attachments (civil cover sheet, summons, exhibits, etc.).

**ECF** Civil Criminal Logout

**Complaints/Initiating Documents**  
[5:09-cv-00035 Jones v. Tollet](#)

Remember to upload the **CIVIL COVER SHEET** and any other required documents as attachments to the complaint.  
Select the pdf document and any attachments.

**Main Document**  
H:\My Documents\la sample pdf.PDF

	Category	Description
1.	<input type="text" value="H:\My Documents\Civil_Cover.pdf"/> <input type="button" value="Browse..."/>	Civil Cover Sheet <input type="button" value="Remove"/>
2.	<input type="text" value=""/> <input type="button" value="Browse..."/>	

Click the **[Browse]** button on the line for Attachment 1. Click the **Category** drop down and highlight the correct document you are attaching. If nothing matches what you are filing, enter descriptive text in the free text box.

You must add any exhibits as attachments to the complaint. The civil cover sheet, summons and USM 285 form, if applicable, will also be attachments to the complaint. All summons can be uploaded as one attachment.

When you have finished uploading all attachments, click the **[Next]** button

If filing your complaint *in forma pauperis* do not attach the motion/application to proceed *in forma pauperis* to the complaint. You must file it as a separate document using the appropriate motion event.

The corporate disclosure statement should also be filed as a separate entry and should not be uploaded as an attachment to the complaint.

## PAYMENT OF FILING FEE

Complaints/Initiating Documents  
5:09-cv-00035 Jones v. Tollet

Is this filed with an Application to Proceed Without Prepayment of Fees?

or

Is this application filed on behalf of the USA?

☐ Yes

☒ No

Next Clear

If filing in forma pauperis or if exempt from the filing fee, answer Y to the following question. The screen will default to N.

Filers answering Y will bypass all payment screens and will be taken to the final docket text screen to complete the filing. (See Page 11 - **Completing the Filing**)

Complaints/Initiating Documents  
5:09-cv-00035 Jones v. Tollet

Fee: \$350

Next Clear

Filers answering N will see this screen.

Click the **[Next]** button.

Online Payment [Return to your originating application](#)

Step 1: Enter Payment Information 1 | 2

Pay Via Plastic Card (PC) (ex: American Express, Diners Club, Discover, Mastercard, VISA)

Required fields are indicated with a red asterisk \*

Account Holder Name: Attorney Peters \*

Payment Amount: \$350.00

Billing Address: \*

Billing Address 2:

City:

State / Province: -----

Zip / Postal Code:

Country: United States

Card Type: \*

Card Number: \* (Card number value should not contain spaces or dashes)

Security Code: \* [Help finding your security code](#)

Expiration Date: \* / \*

Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.

Continue with Plastic Card Payment Cancel

Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

You will be taken to Pay.gov for electronic payment of the filing fee via credit card.

**The Court is not accepting Bank Account Debits at this time**

The filer cannot continue without paying the filing fee by credit card.

Fill in the required information. Fields with a red asterisk are required.

Click **[Continue with Plastic Card Payment]** button.

**Please do not hit the back button once you have filled in credit card information. Doing so may result in duplicate charges.**

Online Payment [Return to your originating application](#)

Step 2: Authorize Payment 1 | 2

Payment Summary [Edit this information](#)

Address Information	Account Information	Payment Information
Account Holder Name: Attorney Peters Billing Address: 2 South Main Street Billing Address 2: City: Akron State / Province: OH Zip / Postal Code: Country: USA	Card Type: Visa Card Number: *****1111	Payment Amount: \$350.00 Transaction Date and Time: 07/21/2009 09:54 EDT

Email Confirmation Receipt

To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.

Email Address:

Confirm Email Address:

CC:  Separate multiple email addresses with a comma

Authorization and Disclosure

Required fields are indicated with a red asterisk \*

I authorize a charge to my card account for the above amount in accordance with my card issuer agreement. ☐ \*

Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.

Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

Enter your email address if you wish to have confirmation sent to you upon completion of this transaction.

Check the box authorizing a charge to your card account.

Finish by clicking **[Submit Payment]**

## COMPLETING THE FILING

After payment has been processed, or after indicating IFP or exempt status, you will be taken to the final docket text screen.

**Complaints/Initiating Documents** Training Database Training Database

[5:09-cv-00035 Jones v. Tollet](#) Training Database Training Database Training Database

Docket Text: Modify as Appropriate.

**TRAIN ENTRY.** Complaint with jury demand  against Linda Tollet. Filing fee paid \$ 350, receipt number 0647-59823 . Filed by Michael Jones. (Attachments: # (1) Civil Cover Sheet) (Peters, Attorney)

Training Database Training Database Training Database

Enter any additional language in the text box, if appropriate.

Pay.gov generates the receipt number appearing in docket text.

Click the **[Next]** button

**Complaints/Initiating Documents** Training Database Training Database

[5:09-cv-00035 Jones v. Tollet](#) Training Database Training Database Training Database

Docket Text: Final Text

**TRAIN ENTRY.** Complaint with jury demand against Linda Tollet. Filing fee paid \$ 350, receipt number 0647-59823. Filed by Michael Jones. (Attachments: # (1) Civil Cover Sheet) (Peters, Attorney)

Training Database Training Database Training Database

**Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

Source Document Path (for confirmation only):  
H:\My Documents\sample pdf.PDF pages: 1  
H:\My Documents\Civil\_Cover.pdf pages: 3

Training Database Training Database Training Database

CM/ECF presents the final version of the docket text.

Click the **[Next]** button to complete the filing.

CM/ECF issues a receipt confirming the filing of the document(s).

Complaints/Initiating Documents
5:09-cv-00035 Jones v. Tollet
U.S. District Court Northern District of Ohio (Train)
Notice of Electronic Filing
The following transaction was entered by Peters, Attorney on 7/21/2009 at 10:13 AM EDT and filed on 7/21/2009
Case Name: Jones v. Tollet
Case Number: 5:09-cv-00035
Filer: Michael Jones
Document Number: 1
Docket Text: TRAIN ENTRY. Complaint with jury demand against Linda Tollet. Filing fee paid \$ 350, receipt number 0647-59823. Filed by Michael Jones. (Attachments: # (1) Civil Cover Sheet) (Peters, Attorney)
5:09-cv-00035 Notice has been electronically mailed to:
Attorney Peters Stacy_S_Peters@ohnd.uscourts.gov
5:09-cv-00035 Notice has been delivered by other means to:
The following document(s) are associated with this transaction:
Document description: Main Document
Original filename: n/a
Electronic document Stamp: [STAMP OHNDStamp_ID=875560366 [Date=7/21/2009] [FileNumber=28323-0] [6cc10164065c11603adc56eb3b5c72f2e92562c9136f2a22edcd8a52f4ba4f64393a005629e7dee8c8da155a405f01dfddea0400b8b6bd4de31f84fca8ce7917]]

If applicable, file additional documents with the appropriate events.

Examples: Motion to Proceed In Forma Pauperis, Motion for Temporary Restraining Order<sup>1</sup>, Corporate Disclosure Statement.

## ASSIGNMENT OF JUDGE/ISSUANCE OF SUMMONS

Clerk's Office staff will receive electronic notification of the filing and will assign a Judge and a Magistrate Judge. An electronic notice will be issued to counsel notifying them of the judge assigned to the case.

Clerk's Office staff will issue the summons and return them to the attorney electronically.

If service by the clerk has been requested, counsel will need to follow the steps outlined in [Local Rule](#) 4.2.

Reminder – To print electronically issued summons, the Adobe print settings should be set to “Document and Stamps.”

### APPENDIX A STANDARD PARTY GUIDELINES

If unsure how a specific party name should be entered, please contact the Clerk's Office for guidance.

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<sup>1</sup> If an emergency filing is included with a new case filed after normal business hours, please refer to Local Rule 77.1 on how to proceed.

1. Omit the word "The."

Examples:      *The Enrich Company, Inc.*  
Last Name: **Enrich Company, Inc.**

*The City of Toledo*  
Last Name: **City of Toledo**

2. Social Security Cases. Always enter the party name as Commissioner of Social Security.

Examples:      *Department of Health and Human Services*  
*Michael J. Astrue, Commissioner of Social Security*  
*Social Security Commissioner*  
*Secretary of Health and Human Services*  
Last Name: **Commissioner of Social Security**

3. John Does. If the complaint includes numerous John Does add as one party name.  
Never add the numbers, letters or roman numerals to the party name, always add as party text.

Examples:      John Doe I-X  
Last Name: **Doe**      First Name: **John**  
Party Text: **I-X**

*John Doe Police Officers 1-10*  
Last Name: **Doe**      First Name: **John**  
Party Text: **Police Officers 1-10**

4. Estates.

Example:      *The Estate of James P. Sentinel by Joseph Smith*  
Last Name: **Smith**      First Name: **Joseph**  
Party Text: **Executor of the Estate of**

Create Alias:  
Last Name: **Sentinel**      First Name: **James**  
Middle Name: **P.**  
Alias Code: **dec**

5. Individuals with Titles

Example:      *James S. Haviland, Warden of Allen Correctional Institution*  
Last Name: **Haviland**      First Name: **James**  
Middle Name: **S.**  
Party Text: **Warden of Allen Correctional Institution**

6. Unknown Names

Example:      Unknown Spouse of Kenneth M. Keller, If any  
Last Name: **Unknown Spouse, if any, of Kenneth M. Keller**

7. Union Names

Example:      *Building Laborers Local 310 Pension Fund*  
Last Name: **Local 310 Building Laborers Pension Fund**